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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,059	12/18/2001	John C. Eidson	10010255	8596

7590 02/11/2005
AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

EXAMINER

PHAN, THANH S

ART UNIT	PAPER NUMBER
2841	

DATE MAILED: 02/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/026,059

Applicant(s)

EIDSON ET AL.

Examiner

Thanh S Phan

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 12-15, 17, 18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 12-15, 17, 18 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05/20/04 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “insulator that encases the structure” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

Art Unit: 2841

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7, 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luce et al. [US 4,008,564].

Regarding claims 1- 4, 12, 13, Luce et al. disclose an electronic watch system [figures 1-5] comprising electronic component [34] having an enclosure/can [40] that protects the electronic component; structure that surrounds the enclosure and that increase a thermal mass of the electronic component [potting/ceramic material; column 4, lines 53-56].

Luce et al. disclose the claimed invention except for saying that the structure reduce thermal drift/increase thermal mass.

It would have been obvious for the structure disclosed by Luce et al. to reduce thermal drift/increase thermal mass since a larger area for heat dissipation are provided. Further, thermal drift/increase thermal mass (heat dissipating) are inherent characteristic of metals.

Regarding claim 7, Luce et al. further disclose wherein the system comprises a circuit board that holds the electronic component which is separated from a circuit board that holds a set of other components of the circuit [10 and 30; figure 2].

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luce et al. in view of Khan et al. [US 2002/0185720].

Art Unit: 2841

Regarding claims 5 and 6, Luce et al. disclose the claimed invention except for the structure being encased within an insulative material.

Khan et al. disclose a circuit element [102] including a heat spreader [502] incased in an epoxy material [116].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the encasing design of Khan et al. with Luce et al. for the purpose of providing mechanical and environmental protection.

Claims 14, 15, 17, 18 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Luce et al., as disclosed in preceding claims, in view of Kirkpatrick [US 2002/0186618].

Regarding claims 14, 17 18 and 20, Luce et al.; alone and/or modified as disclosed above; disclosed the instant claimed invention except for the clock circuit including means for communication via a network and means for synchronizing a local time value in a clock circuit in response to a set of messages transferred via by means of the network.

Kirkpatrick discloses a method of synchronizing a plurality of clock nodes [102, 104 and 106] via a network [figure 1].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the net work synchronizing design of Kirkpatrick with the clock of Luce et al.; alone and/or modified; for the purpose of providing accurate time to each node.

Art Unit: 2841

Regarding claim 15, Luce et al., as modified, disclose the use of a crystal component [32].

Response to Arguments

Applicant's arguments filed 11/18/04 have been fully considered but they are not persuasive.

Applicant's first argument is on page 7 of the response and states that the rejections are improper because Luce does not teach that the potting material increases the thermal mass. This argument is not persuasive. The thermal mass of a substance is the mass that affects its thermal property. Clearly, the potting material absorbs and conducts heat to some degree. As such, it is mass that affects the thermal properties. And, clearly, the addition of the potting material increases the amount of material. Therefore, the mass is increased.

The remainder of applicant's arguments reiterate the position that Luce does not teach increase of thermal mass. This is not a persuasive argument as discussed above.

Conclusion

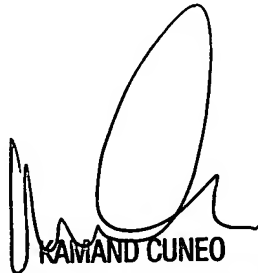
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S Phan whose telephone number is 571-272-2109. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2841

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tsp



KAMAND CUNEO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800